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From: Schmit, Ayn
Sent: Thur 6/13/2013 12:37:24 AM
Subject: FW: [WQ News] Wyoming officials unveil pre-drilling water testing rules

This was mentioned at the IOGCC meeting.

Ayn E. Schmit

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From: Hutchinson, Marcella
Sent: Wednesday, June 12, 2013 3:22 PM
To: Schmit, Ayn; Monahan, Peter; Oberley, Gregory; Wiser, Nathan; Miullo, Nat
Subject: FW: [WQ News] Wyoming officials unveil pre-drilling water testing rules

FYI

From: wq-news@googlegroups.com [mailto:wq-news@googlegroups.com] **On Behalf Of** Loretta Lohman
Sent: Wednesday, June 12, 2013 1:47 PM
To: wq-news@googlegroups.com
Subject: [WQ News] Wyoming officials unveil pre-drilling water testing rules



water

Wyoming officials unveil pre-drilling water testing rules

18 hours ago • [By ADAM VOGUE Star-Tribune energy reporter](#)

Oil and natural gas producers could soon be required to conduct at least three sets of baseline water tests before and during the drilling and production of oil and natural gas wells in Wyoming.

The Wyoming Oil and Gas Conservation Commission on Tuesday rolled out a preliminary draft of a rule that requires the tests. The public is invited to comment and take part in a hearing on the proposal later this month.

Gov. Matt Mead identified drafting rules for baseline water testing — a process in which local water quality is tested prior to well drilling — as one of the many initiatives in his recently released state energy strategy. Mead told a packed commission hearing room in Casper that he was pleased at the step toward implementing the rules.

“In talking to industry, one of the things they told me was when questions arise, whether it be in Pavillion or other areas around the state, having more data from before the process started was valuable not only to the industry but to citizens,” he said.

The rule proposal could help avoid situations like the one in Pavillion, where some residents say hydraulic fracturing contaminated their wells.

Included in the state’s first draft are measures that would make some substantive changes in how oil and gas producers are required to operate in drilling and producing wells, although some producers already comply with the potential mandates.

Each application for a new well would be required to identify and report all “available water sources” within a half-mile of surface disturbance. The rules define an available source as water whose owner has agreed to allow the operator to access and test.

If there are four or fewer available sources nearby, the operator would be required to test them all. If there are more than four nearby sources, the operator would be required to submit to the state a testing plan that must conform to several identified priorities of the state, including testing at a number of different depths, aquifers and directions from the well bore, where applicable.

The rules also lay out a timeline for the testing.

Operators would be required to test water conditions three times: first to establish a baseline set

of water quality data before the drilling of a well, a second time within one to two years after production casing is in place, and then a third time between three and four years after the first test. The second follow-up test would also be required to be at least two years after the first.

Jerimiah Rieman, natural resources adviser to Mead, told the commission that the planned timeline was designed to maximize timeliness and diversity of information.

“This was intended to ensure we could collect the best information, and at the soonest points in time, understand if there was contamination moving away from an oil and gas well,” he said.

The commission didn’t take action on the proposed rules — which state oil and gas supervisor Grant Black called “informal” — but several members commented on the first draft.

Commissioner Bruce Williams took issue with one feature of the rules — a clause that would require all test results submitted to the state to be public record.

“I don’t have a water well, but I think that if I had one, I would want it sampled but wouldn’t want the results disclosed,” he said, asking whether the state could create a rule allowing landowners to test but not disclose information. “To release operators from an obligation to sampling just because a landowner doesn’t want the results made public probably isn’t in the best interest of the landowners and probably isn’t in the best interest of the industry.”

Rieman said staff had explored such a rule, but ultimately couldn’t find a way to shield such information from the public.

The commission didn’t give the public a chance to comment at the meeting. Black said he’s planning a late June hearing to allow for comments, and the commission will also take written feedback.

Tom Drean – state geologist and commission member – agreed with Mead and other commissioners who support the rules.

“I really think baseline testing’s a good idea,” he said. “It’s in all parties’ best interest to have this done.”

-- Loretta Lohman, Ph.D. Nonpoint Source Outreach Coordinator
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